

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

DUSTIN HELLARD,

Plaintiff,

vs.

Case No. 19-CV-43-GKF-FHM

MID CENTURY INSURANCE
COMPANY d/b/a FARMERS
INSURANCE,

Defendant.

OPINION AND ORDER

Defendant's Motion to Compel Discovery Responses From Plaintiff, [Dkt. 55], is fully briefed, [Dkt. 55, 64, 65], and ripe for decision.

Defendant seeks an order compelling Plaintiff to provide bank statements to include any details as to deposits and withdrawals from five years prior to the August 15, 2016, accident at issue to the present. Defendant asserts that the bank records are relevant to Plaintiff's claim that being without the insurance funds owed to him put his family in a financial bind. According to Defendant, this assertion places Plaintiff's financial condition squarely at issue, which justifies the requested discovery. Defendant states that the fact that Plaintiff has produced tax records in support of his claim for lost wages precludes any argument that bank records are irrelevant.

In his brief opposing the motion to compel, Plaintiff represents:

The financial hardship claimed by Mr. Hellard is simply the fact that he has not had the benefit of the U.M. benefits to which he is owed since the time he made demand on Farmers in July 2018. That is the only hardship identified by Mr. Hellard, and the only hardship upon which he intends to rely at trial.

[Dkt. 64, p.3].

Based on Plaintiff's representation that he intends to rely on only the type of garden variety financial hardship that would attend the lack of any substantial amount of money to which one may be entitled, and Plaintiff's assertion that he is "not asserting any specific economic loss as a result of Farmers' withholding of benefits," [Dkt. 64, p. 7], the court finds that Plaintiff's detailed financial information is not relevant to any matter at issue.

Defendant's Motion to Compel Discovery Responses From Plaintiff, [Dkt. 55], is DENIED.

SO ORDERED this 8th day of June, 2020.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE